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AUG 25 2003

**WATER RIGHTS
SALT LAKE**

Garth J Swallow
P.O. Box 486
Fillmore, UT 84631
August 20, 2003

Mr. Kirk Forbush, P.E., Regional Engineer
Utah Division of Water Rights
P.O. Box 563
Richfield, Utah 84701-0563

Re: Transmittal of Acreage Maps – WR # 67-81, et. al.

Dear Mr. Forbush:

In response to your "Notice" of July 18, 2003 and in satisfaction of those certain mapping conditions of approval of Change Applications a25808, a25681, and a24777, enclosed please find a copy of a report that has been prepared for us by Sunrise Engineering, Inc. on our water rights and irrigated acreage including a Summary Chart of rights and irrigated acreage and 3 maps of the irrigation acreage.

Although Sunrise's report concludes that we have exceeded our Sole Source acreage this season by 1.4% or 27.21 acres, it also confirms our statement in our initial response of July 28, that we are actually under-utilizing our well rights in this season.

In planning and installing our irrigation systems, we used the best numbers at our disposal to keep irrigation within our rights; the fact that these current Sunrise Maps are more accurate than anything we had previously indicates that we were very slightly in error.

Additionally, prior to your approval for a24777 coming out on May 7, 2003, we understood that the statement in our Change Application under Paragraph #6 "Water Use Information":

Irrigating: 1,397.8733 acres

Sole Supply: 1,011.2133 acres

properly reflected our right to use well water supplementally with our Chalk Creek rights. In fact, if we have any understanding of these terms, we believe we do have a supplemental right and the condition in the Memo that implies otherwise is in error. (See condition #4 in Memo for a24777.)

Water is the lifeblood of our operation, and we feel compelled to put our water resources to the most productive beneficial use we can find at the time each resource is available. Since we definitely do not desire to have our well rights reduced in the future because we supplemented them with some surface flows, we believe the condition referred to will be detrimental to the

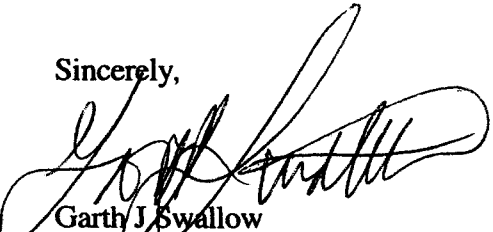
underground resource in the long run.

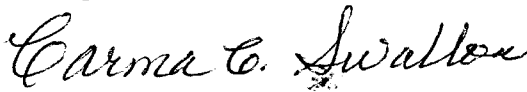
However, in a effort to observe the strict letter of the conditions of approval for our Change Applications, we hereby voluntarily commit to apply no further irrigation to 27.3 acres this season, acreages identified as follows:


Well acres, Sheet 1 - On south side between $\frac{1}{2}$ pivot and $\frac{3}{4}$ pivot -	11.7 acres
	4.3 acres


Well acres, Sheet 2 - On east side between pivots 3 and 4 -	<u>11.3 acres</u>
Total	27.3 acres

Sincerely,


Garth J. Swallow
Trustee of Garth J Swallow Revocable Trust
Manager Member of Swallow Farms, LLC


Carma C. Swallow
Trustee of Carma C. Swallow Revocable Trust


Kelby C. Swallow
Manager Member of Swallow Farms, LLC


Tilden B. Swallow
Manager Member of Swallow Farms, LLC

Cc:	Jerry Olds	State Engineer
	Lee Sim ✓	Assistant State Engineer